

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

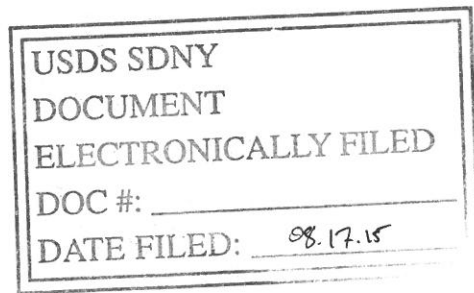
BRITANNIA, LLC,

Plaintiff,

-v-

AVON CAPITAL, LLC *and* TRANEN
CAPITAL ALT. INV. FUND, LTD.,

Defendants.



No. 15-cv-3648 (RJS)
ORDER AND JUDGMENT

RICHARD J. SULLIVAN, District Judge:

On May 11, 2015, Plaintiff Britannia, LLC commenced this action by filing a complaint against Defendants Tranen Capital Alternative Investment Fund, Ltd. ("Tranen") and Avon Capital, LLC ("Avon"). (Doc. No. 1.) Plaintiff served Defendant Tranen on May 15, 2015 and Defendant Avon on May 18, 2015. (Doc. Nos. 4 & 5.) Defendant Tranen's deadline to answer the Complaint was June 5, 2015, and Defendant Avon's deadline to answer the Complaint was June 8, 2015. Neither Defendant has answered or responded to the Complaint. On July 14, 2015, the Clerk of the Court entered a certificate of default in Plaintiff's favor (Doc. No. 8), and the Court issued an order directing Defendants to show cause why a default judgment should not be entered (Doc. No. 9). Neither Defendant appeared for the August 7, 2015 show-cause hearing or filed a written submission.

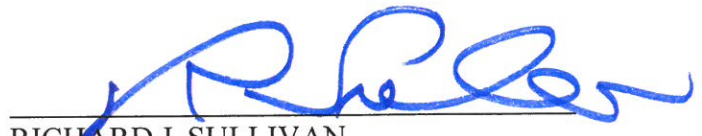
Under Federal Rule of Civil Procedure 55(a), a default occurs "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise." Fed. R. Civ. P. 55(a). "Before entering a default judgment, the Court must review the complaint to determine whether plaintiff has stated a valid

claim for relief.” *Trustees of New York City Dist. Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund v. Vintage Tile & Flooring, Inc.*, No. 14-cv-06450 (KBF), 2015 WL 3797273, at *2 (S.D.N.Y. June 18, 2015). Here, in light of Defendants’ failure to appear, and upon careful review of the Complaint and the declaration of Elisha B. Barron, dated July 10, 2015 (Doc. No. 11), and the documents attached thereto, the Court finds that the entry of a default judgment in this case is appropriate.

Accordingly, IT IS HEREBY ORDERED THAT Plaintiff has a judgment against Defendants, jointly and severally, in the amount of \$24,158,002.00. IT IS FURTHER ORDERED THAT for each additional day hereinafter that the payment of the judgment remains owing, an additional daily interest of \$7,150.68 is owed. IT IS FURTHER ORDERED THAT Plaintiff shall recover its costs against Defendants, jointly and severally, in the amount of \$350.

SO ORDERED.

Dated: August 7, 2015
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE